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EXAMINER

TAYLOR, NICHOLAS R

ART UNIT

PAPER NUMBER

2141

MAIL DATE

DELIVERY MODE

10/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/763,530

Applicant(s)

CABRERA ET AL.

Examiner

Nicholas R. Taylor

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/23/04; 1/22/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-40 have been examined and are rejected.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-23 and 27-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Schuba et al. (U.S. PGPub 2004/0177139).

4. As per claims 1, 28, 37, and 38, Schuba teaches a computing system that is capable of dispatching data structures for processing by groups of one or more methods, a method for the computing system to perform deterministic rule-based dispatch of the data structure to a group of one or more methods for further processing, the dispatch being deterministic despite the existence of multiple rules that conflict regarding where the data structure should be dispatched, the method comprising the following: (Schuba, paragraphs 0043-0045 and fig. 4)

an act of accessing a data structure that is to be processed; (Schuba, e.g., paragraphs 0058 and 0059 and the input of fig. 5)

an act of evaluating a list of rules to identify a plurality of rules that apply to the dispatch of the data structure, each of the plurality of rules specifying a different group of one or more methods to which the data structure should be dispatched; (Schuba, paragraphs 0070-0075)

an act of resolving the plurality of rules to identify a prevailing rule that will be applied for the dispatch of the data structure; and (Schuba, e.g., prevailing rule identification of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184)

an act of dispatching the data structure to the group of one or more methods specified by the prevailing rule (Schuba, paragraphs 0078-0087).

5. As per claims 2, 32, and 39, Schuba teaches the system further wherein the data structure is a message, and wherein the act of accessing a data structure comprises an act of receiving the message over a network (Schuba, paragraphs 0058-0059).

6. As per claims 3 and 33, Schuba teaches the system further wherein the act of resolving the plurality of rules to identify a prevailing rule comprises the following: an act of applying a first prioritization mechanism (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184).

7. As per claim 4, Schuba teaches the system further wherein the first prioritization mechanism is selected from the group consisting of: an express dominance mechanism, a prioritization level mechanism, and a unique identifier comparison mechanism (Schuba, specifically the mechanisms present in paragraphs 0072-0075, 0078-0084, 0095-0100, 0117, and 0118).

8. As per claims 5 and 34, Schuba teaches the system further wherein the application of the first prioritization mechanism narrows the plurality of rules to the prevailing rule (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184).

9. As per claim 6, Schuba teaches the system further wherein the application of the first prioritization mechanism guarantees that only one rule will prevail under any circumstances from the plurality of rules (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184).

10. As per claim 7, Schuba teaches the system further wherein the act of resolving the plurality of rules to identify a prevailing rule further comprises the following: an act of determining that the application of the first prioritization mechanism still resulted in more than one rule; and in response, an act of applying a second prioritization mechanism (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and

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overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied).

11. As per claim 8, Schuba teaches the system further wherein the second prioritization mechanism is selected from the group consisting of: an express dominance mechanism, a prioritization level mechanism, and a unique identifier comparison mechanism (Schuba, specifically the mechanisms present in paragraphs 0072-0075, 0078-0084, 0095-0100, 0117, and 0118).

12. As per claim 9, Schuba teaches the system further wherein the application of the second prioritization mechanism narrows the plurality of rules to the prevailing rule (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied).

13. As per claim 10, Schuba teaches the system further wherein the application of the second prioritization mechanism guarantees that only one rule will prevail under any circumstances from the plurality of rules (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied).

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14. As per claim 11, Schuba teaches the system further wherein the act of resolving the plurality of rules to identify a prevailing rule further comprises the following: an act of determining that the application of the second prioritization mechanism still resulted in more than one rule; and in response, an act of applying a third prioritization mechanism (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied during third and subsequent iterations).

15. As per claim 12, Schuba teaches the system further wherein the third prioritization mechanism is selected from the group consisting of: an express dominance mechanism, a prioritization level mechanism, and a unique identifier comparison mechanism (Schuba, specifically the mechanisms present in paragraphs 0072-0075, 0078-0084, 0095-0100, 0117, and 0118).

16. As per claim 13, Schuba teaches the system further wherein the application of the third prioritization mechanism narrows the plurality of rules to the prevailing rule (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied).

17. As per claim 14, Schuba teaches the system further wherein the application of the third prioritization mechanism guarantees that only one rule will prevail under any

circumstances from the plurality of rules (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied).

18. As per claim 15, Schuba teaches the system further wherein application of the third prioritization mechanism does not narrow the plurality of rules to the prevailing rule, the method further comprising the following: an act of continuing application of prioritization rules until the plurality of rules is narrowed down to just the prevailing rule (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184, where later rules are added and additional prioritization mechanisms are applied during third and subsequent iterations).

19. As per claim 16, Schuba teaches the system further wherein the group of one or more methods comprises a single method (Schuba, e.g., see the methods and processing of paragraphs 0078-0085).

20. As per claim 17, Schuba teaches the system further wherein the group of one or more methods comprises a temporally-ordered chain of a plurality of methods (Schuba, e.g., see the methods and processing of paragraphs 0078-0085).

21. As per claim 18, Scuba teaches the system further wherein the data structure is a first data structure, the plurality of rules is a first plurality of rules, the prevailing rule is

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a first prevailing rule, and the group of one or more method is a first group of one or more methods, the method further comprising the following: an act of accessing a second data structure that is to be processed; (Schuba, e.g., paragraphs 0058 and 0059 and the input of fig. 5)

an act of evaluating the list of rules to identify a second plurality of rules that apply to the dispatch of the second data structure, each of the second plurality of rules specifying a different group of one or more methods to which the data structure should be dispatched; (Schuba, paragraphs 0070-0075)

an act of resolving the second plurality of rules to identify a second prevailing rule that will be applied for the dispatch of the data structure; and (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184)

an act of dispatching the second data structure to the second group of one or more methods specified by the second prevailing rule (Schuba, paragraphs 0078-0087, in subsequent iterations).

22. As per claim 19, Schuba teaches the system further wherein the first prevailing rule is the same as the second prevailing rule such that the first group of one or more methods is the same as the second group of one or more methods (Schuba, e.g., see the methods and processing of paragraphs 0078-0085, which include overlapping groups).

23. As per claim 20, Schuba teaches the system further wherein the first prevailing rule is different than the second prevailing rule and the first group of one or more methods is different than the second group of one or more methods (Schuba, e.g., see the methods and processing of paragraphs 0078-0085).

24. As per claim 21, Schuba teaches the system further wherein one or more methods in the first group of one or more methods are also in the second group of one or more methods (Schuba, e.g., see the methods and processing of paragraphs 0078-0085, which include overlapping groups).

25. As per claim 22, Schuba teaches the system further wherein the group of one or more methods are executed by the computing system (Schuba, e.g., paragraphs 0041 and 0042).

26. As per claim 23, Schuba teaches the system further wherein the computing system is a first computing system, the group of one or more methods being executed by a second computing system that the first computing system is capable of communicating with over a network, the act of dispatching the data structure to the group of one or more methods comprising the following:

an act of sending the data structure to the second computing system over the network (Schuba, e.g., see the methods and processing of paragraphs 0078-0085; see also the rule generating sources 416 and 417 of fig. 4).

27. As per claims 27 and 36, Schuba teaches the system further comprising: an act of accessing an instruction to amend the list of rules; and an act of automatically amending the list of rules in response to the instruction (Schuba, paragraphs 0054-0056).

28. As per claim 29, Schuba teaches the system further wherein the one or more computer-readable media comprise physical memory media (Schuba, e.g., paragraph 0042).

29. As per claim 30, Schuba teaches the system further wherein the physical memory media comprises persistent memory (Schuba, e.g., paragraph 0042).

30. As per claim 31, Schuba teaches the system further wherein the physical memory media comprises system memory (Schuba, e.g., paragraph 0042).

31. As per claim 35, Schuba teaches the system further wherein application of the first prioritization mechanism does not narrow the plurality of rules to the prevailing rule, the method further comprising the following: an act of continuing application of prioritization rules until the plurality of rules is narrowed down to just the prevailing rule (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184).

32. As per claim 40, Schuba teaches a computing system comprising the following:

one or more processors; system memory; one or more computer-readable media having thereon a list of rules, each rules specifying a condition and a group of one or more methods that a data structure should be dispatched to if the condition is met, the one or more computer-readable media further having thereon computer-executable instructions that, when executed by the one or more processors, causes the computing system to instantiate in the system memory the following: (Schuba, paragraphs 0043-0045 and fig. 4)

a comparison module configured to access a data structure and evaluate the list of rules to identify a plurality of rules that apply to the dispatch of the data structure; (Schuba, e.g., paragraphs 0058 and 0059 and the input of fig. 5)

a plurality of prioritization mechanisms configured to identify which conflicting rules take priority, at least one of the prioritization mechanisms guarantying only one prevailing rule; a resolution module configured to use the plurality of prioritization mechanisms to identify the prevailing rule that will be applied for the dispatch of the data structure; and (Schuba, see prioritization of paragraphs 0072-0075; see paragraphs 0095-0100 and overview in paragraphs 0182-0184)

a dispatching mechanism configured to dispatch the data structure to the group of one or more methods specified by the prevailing rule (Schuba, paragraphs 0078-0087).

Claim Rejections - 35 USC § 103

33. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

34. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuba et al. (U.S. PGPub 2004/0177139) and Kuznetsov et al. (U.S. PGPub 2006/0265689).

35. As per claim 24, Schuba teaches the above, yet fails to teach wherein the data structure is a Simple Object Access Protocol (SOAP) envelope.

Kuznetsov teaches the use of Simple Object Access Protocol envelopes (e.g., paragraph 0155) and XPATH rule-based statements (paragraphs 0028-0030) in a network rule processing system (paragraph 0056).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Schuba and Kuznetsov to provide the network system of Kuznetsov in the system of Schuba, because doing so would allow efficient XML markup processing compatibility in a network rules system and widen the system format capabilities (e.g., see Kuznetsov paragraphs 0021-0023 and 0025).

36. As per claim 25, Schuba-Kuznetsov teaches the system further wherein the list or rules is expressed using XPATH statements (Kuznetsov, paragraphs 0028-0030).

37. As per claim 26, Schuba teaches the above, yet fails to teach wherein the list or rules is expressed using XPATH statements.

Kuznetsov teaches the use of Simple Object Access Protocol envelopes (e.g., paragraph 0155) and XPATH rule-based statements (paragraphs 0028-0030) in a network rule processing system (paragraph 0056).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Schuba and Kuznetsov to provide the network system of Kuznetsov in the system of Schuba, because doing so would allow efficient XML markup processing compatibility in a network rules system and widen the system format capabilities (e.g., see Kuznetsov paragraphs 0021-0023 and 0025).

Conclusion

38. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes:

U.S. PGPub 2004/0039803, which describes a method for policy-based network management that enforces and regulates rule decisions;

U.S. PGPub 2006/0155529, which describes a method for a context-independent framework for the processing of XML tasks; and

U.S. PGPub 2007/0180075, which describes a method of synchronization of version annotated objects that includes rule conflict resolution.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT 10-4-07

Nicholas Taylor
Examiner
Art Unit 2141


JASON CARDONE
SUPERVISORY PATENT EXAMINER